

TENANTS LIFELINE ASSISTANCE PROGRAM

48:2-29.30 Legislative findings and declarations

The Legislature hereby finds and declares that the extraordinary and unprecedented energy costs in recent years have had a deleterious financial impact on senior citizens and disabled residents in this State, many of whom must meet their regular living expenses on fixed incomes; that the voters of this State recognized the seriousness of this situation in 1976 by approving an amendment to the Constitution of the State of New Jersey which provides that all State revenues derived from the taxation of gambling establishments in Atlantic City be dedicated to reducing the property taxes, rentals, telephone, gas, electric, and municipal utility charges of eligible senior citizens and disabled residents; and, that in 1979 this Legislature created the "Lifeline Credit Program," which utilizes casino revenues to provide eligible senior citizens and disabled residents who are residential electric or gas customers with a credit against their utility charges.

The Legislature further finds and declares that many of the senior citizens and disabled residents in this State live in accommodations where they do not receive an individual utility bill, and therefore are not eligible for the "Lifeline Credit Program," even though they meet all the other requirements of the program; and, that these citizens, no less than those who receive individual utility bills, deserve financial relief from burdensome energy costs.

The Legislature, therefore, determines that it serves a public purpose, and is consistent with the provisions of the Constitution of the State of New Jersey, to establish a tenants' lifeline assistance program, and to fund such a program with revenues derived from the taxation of casinos.

48:2-29.31 Tenants' lifeline assistance program; establishment and administration

The Commissioner of the Department of Human Services, hereinafter referred to as the commissioner, shall establish and administer a program which shall be known as the "Tenants' Lifeline Assistance Program."

48:2-29.32 Eligibility for Tenants' Lifeline Assistance Program

Any residential tenant not receiving an individual electric or gas utility bill who at any time between July 1 and December 31, 1981, or at any time between July 1 and December 31 of any year thereafter, is: a) enrolled in, found eligible for, or, except for the provisions of section 4 of P.L. 1975, c. 194 (C. 30:4D-23), would be eligible for benefits under the program of "Pharmaceutical Assistance to the Aged and Disabled," established pursuant to P.L. 1975, c. 194 (C. 30:4D-20 et seq.), as amended and supplemented; or b) receiving or is eligible to receive

benefits under the program of Supplemental Security Income (P.L. 1973, c. 256, C. 44:7-85 et seq.); or c) receiving disability benefits pursuant to the federal Social Security Act (42 U.S.C. 416(i)) and meets the income and residency requirements of the "Pharmaceutical Assistance to the Aged and Disabled" program, shall be eligible for the "Tenants' Lifeline Assistance Program." The commissioner shall establish a schedule of eligible residential tenants who meet such qualifications. For the purposes of this act, "residential tenant" means a person renting or leasing real property, including a mobile home park site, as his principal residence, including a net lease residential tenant, as well as a person who is a resident shareholder in a nonprofit residential cooperative or mutual housing corporation, both defined pursuant to P.L. 1977, c. 241 (C. 54:4-3.80 et seq.), or an owner of a condominium as such is defined pursuant to P.L. 1963, c. 168 (C. 46:8A-1 et seq.) and P.L. 1969, c. 257 (C. 46:8B-1 et seq.).

48:2-29.32a "Tenants' Lifeline Assistance Program," notification as to error in estimated annual income

a. Notwithstanding the provisions of any other law to the contrary, a recipient of benefits under the "Tenants' Lifeline Assistance Program," established pursuant to P.L. 1981, c. 210 (C. 48:2-29.30 et seq.), shall notify the Department of Health and Senior Services if the recipient unintentionally errs in estimating annual income to determine eligibility for the program due to an unanticipated payment which would render the recipient ineligible for the program. Notification to the department shall be made in the time and manner prescribed by the department.

b. If the department determines that the payment was unanticipated, the recipient shall reimburse the program for only those benefits that were paid by the program after the recipient received the unanticipated payment.

c. If the department determines that the payment was not unanticipated, the recipient shall reimburse the program for all benefits that were paid by the program in the calendar year in which the payment was received.

d. Within 30 days of receipt of a determination by the department that the payment was not unanticipated, a recipient may request a hearing, which shall be conducted pursuant to the "Administrative Procedure Act," P.L. 1968, c. 410 (C. 52:14B-1 et seq.)

e. Nothing in this section shall preclude a recipient from reapplying for benefits in the calendar year following the year in which the recipient notified the department pursuant to subsection a. of this section.

48:2-29.33 Annual tenants' assistance payment; limitations

Any residential tenant found eligible for the "Tenants' Lifeline Assistance Program" shall be entitled to an annual tenants' assistance payment, except as otherwise provided herein, at his principal residence. No household or rental unit, as appropriate, shall receive more than one tenant's assistance payment for any fiscal year. No household shall receive during the same fiscal year both a tenant's assistance payment and a lifeline credit allowed pursuant to P.L.1979, c. 197 (C. 48:2-29.15 et seq.). The annual tenant's assistance payment shall be \$ 200.00. Subject to the availability of appropriations, the level of assistance shall be increased to \$ 225.00 beginning in October, 1984.

48:2-29.34 Certification by commissioner; issuance of payment; date; special state utility supplement to supplemental security income program

a. Upon certification by the commissioner, the State Treasurer shall issue a tenants assistance payment to each residential tenant found eligible for the "Tenants' Lifeline Assistance Program." For residential tenants found eligible between July 1 and December 31 of 1981 or any year thereafter, the tenants assistance payment shall be made during October, or as soon as practicable after eligibility has been determined, and during October of each year thereafter for which eligibility is determined.

b. For eligible residential tenants receiving benefits pursuant to the program of Supplementary Security Income under P.L.1973, c. 256 (C. 44:7-85 et seq.), the tenants assistance payment shall consist of a special State utility supplement to the Supplementary Security Income program and shall be made in 12 monthly installments. If, at the end of a year, a person eligible for the special State utility supplement has not received the full tenants' assistance payment for that year, a payment for the balance thereof shall, upon certification by the commissioner, be issued by the State Treasurer. This special State utility supplement shall be in addition to existing supplementary payments which have been or may be authorized and made pursuant to P.L.1973, c. 256 (C. 44:7-85 et seq.).

48:2-29.35 Rules and regulations; assistance from or contracts for services of state agency

a. The commissioner is authorized to promulgate, pursuant to law, such rules and regulations as may be necessary to effectuate the purpose of this act.

b. The commissioner shall be entitled to call upon the assistance, or contract for the services, of any State department, board, bureau, commission or agency as may be necessary to implement the provisions of this act.

48:2-29.36 Annual report to legislature and Governor

The commissioner shall submit a report on the "Tenants' Lifeline Assistance Program" to the Legislature and the Governor on August 15 of each year, in conjunction with the annual report submitted on the "Lifeline Credit Program," pursuant to P.L.1979, c. 197 (C. 48:2-29.15 et seq.). Such report shall include, but shall not be limited to, a summary of the implementation of the program, a study of its impact, any recommendations for its revision, and an estimate of the practicability and feasibility of expanding the program to include other needy residential electric and gas utility customers.